

### **REMARKS**

Claims 1-9 are now pending in the application. Amendments have been made to Claims 1, 2, 8 and 9 to clarify the invention and to further distinguish from the cited references. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not narrowing amendments. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **ABSTRACT**

The Abstract stands objected to due to the presence of design details. Applicant has reviewed the Abstract, but the Examiner's objection is simply not understood, as the Abstract is not believed to include design details. Clarification of this objection is courteously requested, so that Applicant can address the objection properly, if warranted.

### **SPECIFICATION**

The specification stands objected to for certain informalities. The Examiner states that page 6, line 16 of the specification refers to FIG. 1, but that no drawings have been submitted with this application. The Examiner has also requested that the reference to FIG. 1 be removed from the Abstract. Applicant wishes to advise the Examiner that the present application does indeed include one drawing (FIG. 1), from the original PCT international filing. A copy of that drawing page is included herewith for the Examiner's reference, in case this page may be missing from the official Patent Office file.

Accordingly, no amendments to the specification or Abstract have been made on this basis, and reconsideration and withdrawal of this objection is respectfully requested.

**REJECTION UNDER 35 U.S.C. § 103**

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shub et al. (U.S. Pat. No. 6,807,530) in view of O'Leary et al. (U.S. Pat. No. 6,609,113). Applicant has amended Claims 1, 2, 8 and 9 to clarify the anonymous nature of the serial numbers that are uniquely generated in the method of the present invention. Applicant respectfully submits that the combination of the Shub et al. and O'Leary references does not yield the present invention, especially as presently clarified.

The Shub et al. reference concerns a method and apparatus for remotely ordering goods from a merchant and receiving the goods without revealing customer identity or address to the merchant, in order to preserve as much anonymity as possible (see Abstract). However, this is not the same as true anonymity as claimed in the present invention. Specifically, the Shub et al. patent relies on the use of either protocols (col. 2, line 16) or alternately, encryption (col. 2, line 26) to break the chain of identity information about the customer. Applicant submits that protocols are merely methods of disguising the customer's identification by spreading the information among more than one location. However, that information can be recreated by loss of discretion, employee collaboration, or by someone who has access to the locations of the information, such that the information is not truly anonymous. Indeed, the Shub et al. reference clearly states that it relies on secrecy within the clearing house to maintain secrecy of customer information (col. 3, lines 59-67). It is plainly apparent that together,

the group "payment agencies, merchants, clearing houses, and delivery companies" together have all of the information of the customer's transaction in the Shub et al. method (col. 2, lines 3-11). Thus, the information about the customer and the associated transaction can be reconstructed. In the alternate encryption method of the Shub et al. reference, the use of secret encoding keys (col. 2, line 29) relies on the discretion of the bank or other institution, which customers do not so readily rely on today. To the contrary, the method of the present invention concerns an electronic system, whereby the serial numbers generated are uniquely generated, are anonymous, and correspond only to an amount of electronic or on-line form of currency (see page 4, lines 17-22). Thus, the present invention does not rely on secrecy, encoding or discretion to maintain anonymity, because the customer is never identified. The physical act of the customer handing (depositing) cash to the depository leaves no recorded trail (electronic or otherwise) of the customer's identity.

The O'Leary reference also does not concern a system having true anonymity. Specifically, O'Leary involves a method for effectuating an electronic credit to a destination account, whereby an Electronic Funds Transfer (EFT) credit message is transmitted through an Electronic Funds Transfer network, which contains the customer's identification information. As set forth at col. 5, lines 42-50 of O'Leary:

" . . . the user supplies the PPP ["Payment Portal Processor"] with its credit card number. The user is then given the option to fund the payment with his or her credit card. The PPP contacts the credit card issuer authorization for the credit in the amount of the payment. When the authorization is returned, the EFT credit to the payee is funded from the funds from the credit card. The user's bank then settles with the credit card issuer at the end of the day."

This type of arrangement permits transaction tracing, and as such, is not anonymous like the method of the present invention. Again, as with the Shub et al. reference, the

O'Leary reference relies on a "secure" network to maintain security and privacy (col. 7, lines 16-18), along with the encryption of information in the PPP user login (col. 9, lines 49-50), which Applicant submits can be cracked or compromised. With Applicant's truly anonymous system, there is no record to identify the customer.

It is respectfully submitted that neither the Shub et al. nor the O'Leary reference discloses an anonymous system like the method of present invention. Further, the combination of these two references cannot yield the present invention. For the above reasons, it is respectfully requested that the present claims, especially as clarified in the accompanying amendments, distinguish over the references cited, and withdrawal of the rejections based on these references is courteously requested.

#### **OTHER**

Applicant wishes to also direct the Examiner's attention to a previous combined submission (dated January 8, 2004) which does not appear to have been properly processed by the Patent Office. Specifically, Applicant submitted a Request For Corrected Filing Receipt for this application (copy enclosed) which requested correction of Applicant's last name ("Frenkel" instead of "Frankel") and correction of Applicant's city of residence ("Huntington Woods, MI" instead of "Woods, MI"). Applicant also submitted, as part of the same mailing, a signed Revocation of Power of Attorney and Appointment of New Power of Attorney (copy also enclosed) which revoked the previous Power of Attorney to the Gifford, Krass law firm in favor of Harness, Dickey & Pierce, P.L.C. (under Customer Number 27572). Although the return postcard (copy also enclosed) for that combined submission was sent from the Patent Office back to Applicant's counsel's

office, neither of those submissions appear to have been made of record for this application. Accordingly, Applicant kindly requests that the Examiner take note of the new counsel appointed for this application, and also arrange for a Corrected Filing Receipt to be issued.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly addressed. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. Should the Examiner have any questions about this submission, or wish to discuss the application, the present Amendment or the cited references further, the Examiner is invited to telephone the undersigned attorney directly at (248) 641-1239.

Respectfully submitted,

Dated: April 19, 2006

By: Garrett C. Donley  
Garrett C. Donley, Reg. No. 34,579

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

GCD/sed